

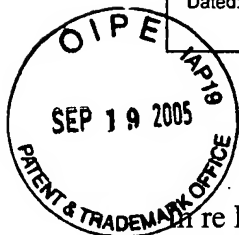
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 984097164 US, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: September 19, 2005

Signature: 

(Norman Green)

Patent  
Docket No. 219002028310



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of:  
Babu J. MAVUNKEL et al.

Serial No.: 10/076,131

Filing Date: February 13, 2002

For: COMPOUNDS AND METHODS TO  
TREAT CARDIAC FAILURE AND  
OTHER DISORDERS

Examiner: C. Chang

Group Art Unit: 1625

### INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of non-patent literature documents numbered 31, 35, 39, 49, and 62 are submitted herewith. However, copies of the remaining documents cited in the attached Form PTO/SB/08a/b were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related applications: Serial Number 09/316,761, filed May 21, 1999, now United States Patent Number 6,589,954, and Serial Number 09/275,176, filed March 24, 1999, now United States Patent Number 6,340,685, and Serial Number 09/128,137, filed August 3, 1998, now United States Patent Number 6,130,235, and, accordingly, copies are not included herewith. This protocol conforms with 37

C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \_\_ is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_ is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

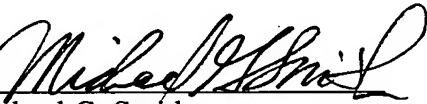
Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 219002028310.

Dated: September 19, 2005

Respectfully submitted,

By   
Michael G. Smith  
Registration No.: 44,422  
MORRISON & FOERSTER LLP  
3811 Valley Centre Drive  
Suite 500  
San Diego, California 92130-2332  
(858) 720-5100



ALTERNATIVE TO PTO/SB/08a/b (06-03)

<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/076,131
				Filing Date	February 13, 2002
				First Named Inventor	Babu J. MAVUNKEL
				Art Unit	1625
				Examiner Name	C. Chang
Sheet	1	of	2	Attorney Docket Number	219002028310

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1.	US-4,088,765	05-09-1978	Winn et al.	
	2.	US-4,243,806	01-06-1981	Raeymaekers et al.	
	3.	US-4,454,130	06-12-1984	Tominaga et al.	
	4.	US-4,600,715	07-15-1986	Huth et al.	
	5.	US-4,737,501	04-12-1988	Tominago et al.	
	6.	US-4,886,809	12-12-1989	Tamada et al.	
	7.	US-4,937,246	06-26-1990	Sugihara et al.	
	8.	US-5,462,934	10-31-1995	Goto et al.	
	9.	US-5,698,553	12-16-1997	Prucher et al.	
	10.	US-5,714,498	02-03-1998	Kulagowski et al.	
	11.	US-5,726,177	03-10-1998	Halazy et al.	
	12.	US-5,795,907	08-18-1998	Kalindjian et al.	
	13.	US-5,817,871	10-06-1998	Dingerdissen et al.	
	14.	US-6,589,954	07-08-2003	Mavunkel et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	† <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	15.	EP-0 318 235	05/1989			
	16.	EP-0 431 945	06/1991			
	17.	EP-0 709 384	05/1996			
	18.	EP-0 831 090	03/1998			
	19.	JP-2-184673	07/1990			
	20.	JP-3-161470	07/1991			
	21.	WO-96/40143	12/1996			
	22.	WO-97/26252	07/1997			
	23.	WO-98/06715	02/1998			
	24.	WO-98/07425	02/1998			
	25.	WO-98/28292	07/1998			
	26.	WO-99/61426	12/1999			
	27.	WO-00/12074	03/2000			

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

sd-273893



ALTERNATIVE TO PTO/SB/08a/b (06-03)

Substitute for form 436/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/076,131
				Filing Date	February 13, 2002
				First Named Inventor	Babu J. MAVUNKEL
				Art Unit	1625
				Examiner Name	C. Chang
Sheet	2	of	2	Attorney Docket Number	219002028310

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	28.	ADAMS et al., CA (1998) 128:201066	
	29.	CEGLA et al., CA (1996) 126:31297	
	30.	DE CLERCK et al., Throm. Res. (1981) 23:1-12	
	31.	DINARELLO, Chest (2000) 118(2):503-508	
	32.	DUKIC et al., Arch. Pharm. (1997) 330:25-28	
	33.	EYERS et al., Chem. and Biol. (1995) 5:321-328	
	34.	FISCHER, CA (1996) 67:10051	
	35.	Foye's Principles of Medicinal Chemistry, 5th ed., (2002) pp. 56-57	
	36.	GASSMAN, J. Am. Chem. Soc. (1974) 96(17):5495-5508	
	37.	GOEHRING et al., CA (2000) 132:203174	
	38.	HARBESON et al., CA (1988) 109:162909	
	39.	HASHIMOTO et al., Clinical and Experimental Allergy (1999-2000) 30:48-55	
	40.	International Search Report dated July 29, 1999	
	41.	JIANG et al., J. Biol. Chem. (1996) 271:17920-17926	
	42.	KUMAR et al., Biochem. Biophys. Res. Comm. (1997) 235:533-538	
	43.	LI et al., Biochem. Biophys. Res. Comm. (1996) 228:334-340	
	44.	MAGUIRE et al., CA (1979) 92:122605	
	45.	MITTENDORF et al., CA (2000) 132:265195	
	46.	MURAI et al., Heterocycles (1992) 34(5):1017-1029	
	47.	NAKAI et al., CA (1994) 121:222012	
	48.	NAKAI et al., CA (1994) 121:221997	
	49.	NICK et al., J. Clin. Invest. (1997) 99:975-986	
	50.	OELSCHLAEGER et al., CA (1988) 109:73387	
	51.	OGAWA et al., CA (1988) 110:57613	
	52.	OTSUKA PHARM., CA (1983) 100:51465	
	53.	OTSUKA PHARM., CA (1983) 100:34414	
	54.	OTSUKA PHARM., CA (1984) 100:68187	
	55.	SCHMIT et al., CA (1994) 122:53913	
	56.	SOCIETE DES USINE CHEMIQUES, CA (1968) 77:34584	
	57.	STEIN et al., J. Biol. Chem. (1997) 272:19509-19517	
	58.	TAMADA et al., CA (1989) 111:53834	
	59.	VON STRANDTMANN, CA (1971) 80:82713	
	60.	WANG et al., J. Biol. Chem. (1997) 272:23668-23674	
	61.	WANG et al., J. Biol. Chem. (1998) 273:2161-2168	
	62.	YIN et al., Nature (1998) 396:77-80	

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

sd-273893